

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DIOGENES LIMITED and)
COLOSSUS (IOM) LIMITED,)
Plaintiffs,)
v.) C.A. No. 21-1695 (MN) (CJB)
DRAFTKINGS, INC.,)
Defendant.)

DEFENDANT'S MOTION TO STAY PENDING *INTER PARTES* REVIEW

Defendant DraftKings, Inc. (“DraftKings”) respectfully moves to stay this case pending final disposition, including the completion of any appeals, of all instituted *inter partes* review proceedings, pending and future, concerning the patents asserted in this case. The grounds for this motion are fully set forth in the Opening Brief in Support of Defendant’s Motion to Stay *Inter Partes* Review, filed herewith. A proposed order is attached.

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/s/ *Lucinda C. Cucuzzella*

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August 1, 2023

RULE 7.1.1 CERTIFICATE

I hereby certify that the subject of the foregoing motion has been discussed with counsel for the plaintiffs and that we have not been able to reach agreement.

*/s/ *Lucinda C. Cucuzzella**

Lucinda C. Cucuzzella (#3491)

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**[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO STAY
PENDING INTER PARTES REVIEW**

At Wilmington this _____ day of _____, 2023, having considered Defendant's Motion to Stay Pending *Inter Partes* Review, IT IS HEREBY ORDERED that the motion is GRANTED, and the case is hereby STAYED pending final disposition, including the completion of any appeals, of all instituted *inter partes* review proceedings, concerning any of the asserted patents.

J.

CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on August 1, 2023, upon the following in the manner indicated:

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